

## AMENDMENTS TO THE CLAIMS

The following listing of claims shows each claim that is, or ever was, present in the instant application. This listing will replace all prior versions, and listings, of claims in the application:

### Listing of claims:

Claim 1 (currently amended): An implantable gel material, said implantable gel material produced by a process comprising:

- (a) combining a biomaterial and a liquid to form at least one of a solution and a colloidal suspension;
- (b) lyophilizing said solution or suspension to render said biomaterial in a form having a large surface area;
- (c) adding a volume of a fluid to said large surface area biomaterial, said volume added being less than a volume of liquid removed by lyophilizing; and
- (d) applying a pressurizing force to said fluid, thereby causing said large surface area biomaterial to collapse into said fluid, thereby forming at least one of a solution and colloidal suspension, said solution or suspension being suitable for implantation into a living being, and having a viscosity of a gel, putty or paste.

~~formed from a pressure solubilized dried gel, wherein said dried gel is hydrated by the addition of a solvating fluid, then said dried gel and solvating fluid form said implantable gel material upon the application of a pressurizing force.~~

Claim 2 (original): The implant of claim 1 wherein said implantable gel material further comprises at least one biologically active agent.

Claim 3 (currently amended): The implant of claim 1 wherein said ~~solvating~~ fluid further comprises at least one biologically active agent.

Claim 4 (original): The implant of claim 1 wherein said dried gel material further comprises at least one biologically active agent.

Claim 5 (canceled).

Claim 6 (original): The implant of claim 1 wherein said implantable gel material further comprises at least one filler material.

Claim 7 (currently amended): The implant of claim 1 wherein said ~~solvating~~ fluid further comprises at least one filler material.

Claim 8 (original): The implant of claim 1 wherein said dried gel material further comprises at least one filler material.

Claim 9 (original): The implant of claim 1 wherein said implantable gel material comprises at least one polymer.

Claim 10 (original): The implant of claim 9 wherein said polymer comprises at least one natural polymer.

Claim 11 (original): The implant of claim 9 wherein said polymer comprises at least one synthetic polymer.

Claim 12 (withdrawn): An implantable biomaterial comprising a high surface area, fluid soluble material hydrated by a fluid and then solvated by a pressure solubilization process, wherein said implantable biomaterial becomes malleable.

Claim 13 (withdrawn): The biomaterial of claim 12, wherein said rehydration step comprises adding less fluid than was removed during a dehydration step.

Claim 14 (withdrawn): The biomaterial of claim 13, wherein said pressure solubilization process causes solubilization at a faster rate than occurs by capillary rehydration and stagnant solvation.

Claims 15-25 (cancelled).

Claim 26 (withdrawn): A process for manufacturing an implantable gel material comprising the steps of:

- a. removing a fluid from a biomaterial solution or suspension having a first viscosity to leave a dry porous body presenting a large amount of surface area;
- b. rehydrating said biomaterial with a volume of fluid less than the amount removed during step a;
- c. allowing said surface area of said biomaterial to become coated with said fluid; and applying a pressurizing force to the combined fluid and biomaterial, wherein said biomaterial collapses into a malleable gel having a second viscosity, wherein said second viscosity is greater than said first viscosity.

Claim 27 (withdrawn): The process of claim 26, wherein said implantable gel material further comprises at least one biologically active agent.

Claim 28 (withdrawn): The process of claim 26, wherein said fluid further comprises at least one biologically active agent.

Claim 29 (withdrawn): The process of claim 26, wherein said biomaterial further comprises at least one biologically active agent.

Claim 30 (withdrawn): The process of claim 26, wherein said fluid comprises a biologically active agent.

Claim 31 (withdrawn): The process of claim 26, wherein said biomaterial further comprises at least one filler material.

Claim 32 (withdrawn): The process of claim 26, wherein said fluid further comprises at least one filler material.

Claim 33 (withdrawn): The process of claim 26, wherein said biomaterial further comprises at least one filler material.

Claim 34 (withdrawn): The process of claim 26, wherein said implantable gel material comprises at least one polymer.

Claim 35 (withdrawn): The process of claim 34, wherein said polymer comprises at least one natural polymer.

Claim 36 (withdrawn): The process of claim 34, wherein said polymer comprises at least one synthetic polymer.

Claim 37 (withdrawn): An implantable gel material, said implantable gel material formed by the process comprising the steps of:

- a. providing a biomaterial having a large surface area, and a fluid;
- b. combining said biomaterial and fluid, wherein said surface area of said biomaterial becomes coated with said fluid; and
- c. applying a pressurizing force to said combined fluid and biomaterial wherein said biomaterial collapses into a malleable gel.

Claim 38 (withdrawn): The implantable gel material of claim 37, wherein said implantable gel material further comprises at least one biologically active agent.

Claim 39 (withdrawn): The implantable gel material of claim 37, wherein said fluid further comprises at least one biologically active agent.

Claim 40 (withdrawn): The implantable gel material of claim 37, wherein said biomaterial further comprises at least one biologically active agent.

Claim 41 (withdrawn): The implantable gel material of claim 37, wherein said fluid comprises a biologically active agent.

Claim 42 (withdrawn): The implantable gel material of claim 37, wherein said biomaterial further comprises at least one filler material.

Claim 43 (withdrawn): The implantable gel material of claim 37, wherein said fluid further comprises at least one filler material.

Claim 44 (withdrawn): The implantable gel material of claim 37, wherein said biomaterial further comprises at least one filler material.

Claim 45 (withdrawn): The implantable gel material of claim 37, wherein said implantable gel material comprises at least one polymer.

Claim 46 (withdrawn): The implantable gel material of claim 45, wherein said polymer comprises at least one natural polymer.

Claim 47 (withdrawn): The implantable gel material of claim 45, wherein said polymer comprises at least one synthetic polymer.

Claim 48 (withdrawn): An implantable gel material, said implantable gel material formed by the process comprising the steps of:

- a. removing a fluid from a biomaterial solution or suspension having a first viscosity to leave a dry porous body presenting a large amount of surface area;
- b. rehydrating said biomaterial with a volume of fluid less than the amount removed during step a;
- c. allowing said surface area of said biomaterial to become coated with said fluid; and
- d. applying a pressurizing force to the combined fluid and biomaterial, wherein said biomaterial collapses into a malleable gel having a second viscosity, wherein said second viscosity is greater than said first viscosity.

Claim 49 (withdrawn): The implantable gel material of claim 48, wherein said implantable gel material further comprises at least one biologically active agent.

Claim 50 (withdrawn): The implantable gel material of claim 48, wherein said fluid further comprises at least one biologically active agent.

Claim 51 (withdrawn): The implantable gel material of claim 48, wherein said biomaterial further comprises at least one biologically active agent.

Claim 52 (withdrawn): The implantable gel material of claim 48, wherein said fluid comprises a biologically active agent.

Claim 53 (withdrawn): The implantable gel material of claim 48, wherein said biomaterial further comprises at least one filler material.

Claim 54 (withdrawn): The implantable gel material of claim 48, wherein said fluid further comprises at least one filler material.

Claim 55 (withdrawn): The implantable gel material of claim 48, wherein said biomaterial further comprises at least one filler material.

Claim 56 (withdrawn): The implantable gel material of claim 48, wherein said implantable gel material comprises at least one polymer.

Claim 57 (withdrawn): The implantable gel material of claim 56, wherein said polymer comprises at least one natural polymer.

Claim 58 (withdrawn): The implantable gel material of claim 56, wherein said polymer comprises at least one synthetic polymer.

Claim 59 (withdrawn and currently amended): An implantable collagen gel material, said implantable gel material formed from a pressure solubilized dried gel containing a particulate ceramic filler, wherein said dried gel is hydrated by the addition of a ~~solvating~~ fluid, then said dried gel and ~~solvating~~ fluid form said implantable gel material with suspended ceramic particulate upon the application of a pressurizing force.

Claim 60 (withdrawn): The implantable gel material of claim 59 further comprising an insoluble collagen fiber filler.

Claim 61 (withdrawn and currently amended). An implantable material, comprising:

- (a) in a dry state, a porous biocompatible material presenting a large surface-to-volume ratio;
- (b) said porous biocompatible material being capable of being hydrated to form a highly viscous, malleable gel, and
- (c) in a hydrated state, said porous biocompatible material is transformed to a highly viscous, malleable gel, said gel comprising a combination of said biocompatible material and a fluid, the combination being in the form of at least one of a solution and a colloidal suspension. and further wherein
- (d) said implantable material is arranged to be implanted in the body of a living being ~~in~~ either a dry state or a hydrated state.

Claim 62 (withdrawn and currently amended). The implantable material of claim 61, wherein said ~~hydrated state is realized by providing to said porous biocompatible material a solvating~~ fluid is selected from the group consisting of an aqueous fluid and a non-aqueous fluid.

Claim 63 (withdrawn and currently amended). The implantable material of claim 62, wherein said ~~solvating~~ fluid comprises at least one fluid selected from the group consisting of saline, whole blood, plasma, Platelet-Rich-Plasma, Bone-Marrow-Aspirate, acetone, acetic acid, 1-methyl-2-pyrrolidone, and dimethyl sulfoxide.

Claim 64 (withdrawn and currently amended). The implantable material of claim 62, wherein said ~~solvating~~ fluid comprises a polymer.

Claim 65 (withdrawn). The implantable material of claim 61, wherein said biocompatible material comprises a polymer.

Claim 66 (withdrawn). The implantable material of claim 65, wherein said polymer is resorbable.

Claim 67 (withdrawn). The implantable material of claim 65, wherein said polymer comprises acid soluble collagen.

Claim 68 (withdrawn). The implantable material of claim 61, further comprising at least one gas bubble.

Claim 69 (new). An implantable pressure-solubilized gel material, said implantable gel material comprising a combination of a biomaterial and a fluid, the combination comprising a colloidal suspension with a fluid, the combination of biomaterial and fluid having a consistency of a putty, paste or gel, said combination being suitable for implantation into the body of a living being, and the combination having the ability to be de-hydrated and re-hydrated.

Claim 70 (new). An implantable pressure-solubilized gel comprising at least one of solution and a colloidal suspension of collagen in a fluid, said collagen accounting for at least about 3.3 percent (w/v) of said fluid, said implantable gel being appropriate for implantation into a body of a living being.

Claim 71 (new). The material of claim 61, wherein said large surface-to-volume ratio of said biocompatible material is formed by lyophilizing a solution or colloidal suspension of said biocompatible material in a liquid.

Claim 72 (new). The implantable gel material of claim 1, further comprising a step prior to step "d" comprising coating said large surface area of said biomaterial with said fluid.